

CHAPTER NO. 560

SENATE BILL NO. 2131

By Haun

Substituted for: House Bill No. 2108

By Whitson, Ralph Cole

AN ACT To name the Tennessee National Guard Armory in Erwin in honor of the "Erwin Nine".

WHEREAS, From time to time, our state has given birth to exemplary citizens whose deeds of valor and honor reflect favorably on the Volunteer State, even as they inspire us all to reach for greater glory; and

WHEREAS, The valiant members of the "Erwin Nine" are such exemplary citizens who served their community, state and nation with the utmost dedication and honor as members of the United States Army Air Force during World War II; their respective military careers spent in service of the most inviolate principles of freedom and preparedness stand as exemplary testimony to the irrefutable value of the American way of life; and

WHEREAS, The "Erwin Nine" are nine soldiers from Erwin, Tennessee who were shot down during the Allied Forces bombing of Germany in 1944 and who were subsequently imprisoned in the same German POW camp (Stalag Luft #4), a remarkable coincidence; and

WHEREAS, The "Erwin Nine" endured terrible living conditions and many other harrowing experiences as prisoners of war, but through faith, perseverance, resilience and fortitude, they survived to return safely home to their families after the war; and

WHEREAS, The proud members of the "Erwin Nine" are: Clyde Tinker, Fred Miller, Dick Franklin, Allen Alford, Stan Norris, Jim Hensley, George Swingle, Richard Edwards, and George Hatcher; and

WHEREAS, Five members of the "Erwin Nine" are still with us today, while Messrs. Tinker, Miller, Swingle and Edwards have passed on to their great reward in Heaven; and

WHEREAS, The men of Company H 2/278th ACR, who proudly serve at the Erwin National Guard Armory, have expressed a desire to name the armory in honor of these gentlemen of great distinction, courage and character; and

WHEREAS, This General Assembly most heartily concurs with this excellent proposal; now, therefore,

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Notwithstanding any provision of law to the contrary, the Tennessee National Guard Armory in Erwin, Unicoi County is hereby designated as the "Erwin Nine National Guard Armory" as a lasting tribute to nine of the most courageous soldiers and most outstanding citizens this state has ever produced.

SECTION 2. The Department of Military is directed to erect suitable signs or to affix suitable markers designating such edifice as the "Erwin Nine National Guard Armory".


SECTION 3. (a) This act shall become operative only if the cost of the erection of such signs is paid to the Department of the Military from non-state funds within one (1) year of the effective date of this act or if the City of Erwin manufactures such signs in accordance with the provisions of subdivision (2). Such payment shall be made prior to any expenditure by the state for the manufacture or installation of such signs. The department shall return any unused portion of the estimated cost to the persons or entity paying for such sign within thirty (30) days of the erection of such sign. If the actual cost exceeds the estimated cost, an amount equal to the difference in such costs shall be remitted to the department in non-state funds within thirty (30) days of receiving an itemized invoice of the actual cost from the department.

(2) Erwin may manufacture and erect such signs provided that such signs are manufactured and erected pursuant to state and federal guidelines and approved by the department.

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it.

PASSED: March 27, 2002


JOHN S. WILDER
SPEAKER OF THE SENATE


JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 3rd day of April 2002


DON SUNDQUIST, GOVERNOR